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Attorney Docket No.: UMC99-001D2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: *Hsuan*) Art Unit: 2826
)
Serial No.: 10/634,404)
)
) Examiner: Andujar, Leonardo
Filed: August 5, 2003 as a divisional of serial no.)
10/167,118 filed June 11, 2002)
)
For: *Intermediate Structure for Making Integrated Circuit*)
Device & Wafer)

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office communication mailed November 17, 2004, Applicant respectfully responds as follows: Claims 22 - 30 were canceled without prejudice or waiver. Of the remaining claims (49 - 60), only claim 49 is independent, and it is clearly generic as concerns both FIG. 3A (species 1) and FIG. 3B (species 2). Accordingly the restriction is traversed in part as concerns these embodiments. Nonetheless and pursuant to 121, Applicant elects species 1 (FIG. 3A) if the Examiner is not persuaded that independent claim 49 is generic as to both species 1 and species 2.

A petition and fee for a one month extension of time is also enclosed. Please charge any fees to deposit account no. 233 - 264.

Respectfully submitted,

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January 18, 2005
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I hereby certify that the foregoing is being deposited with the U.S. Postal Service to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, this 18th day of January 2005.